



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER OF PATENTS AND TRADEMARKS
Washington, D.C. 20231
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/551,786	04/18/2000	Jarkko Sevanto	460-009376-US(PAR)	2605

7590 03/12/2003

Clarence A Green
Perman & Green LLP
425 Post Road
Fairfield, CT 06430

EXAMINER

ALAM, UZMA

ART UNIT

PAPER NUMBER

2157

DATE MAILED: 03/12/2003

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/551,786

Applicant(s)

SEVANTO ET AL.

Examiner

Uzma Alam

Art Unit

2157

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 18 April 2000.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-18 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-18 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☒ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 18 April 2000 is/are: a) ☐ accepted or b) ☒ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) ☐ The proposed drawing correction filed on _____ is: a) ☐ approved b) ☐ disapproved by the Examiner.
- If approved, corrected drawings are required in reply to this Office action.
- 12) ☐ The oath or declaration is objected to by the Examiner.

Priority under 35 U.S.C. §§ 119 and 120

- 13) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).
- a) ☐ The translation of the foreign language provisional application has been received.
- 15) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☒ Information Disclosure Statement(s) (PTO-1449) Paper No(s) _____
- 4) ☐ Interview Summary (PTO-413) Paper No(s). _____
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other:

DETAILED ACTION***Drawings***

The drawings are objected to as failing to comply with 37 CFR 1.84(p)(5) because not all of the reference sign(s) are mentioned in the description. A proposed drawing correction, corrected drawings, or amendment to the specification to add the reference sign(s) in the description, are required in reply to the Office action to avoid abandonment of the application. The objection to the drawings will not be held in abeyance.

Specification

The following guidelines illustrate the preferred layout for the specification of a utility application. These guidelines are suggested for the applicant's use.

Arrangement of the Specification

As provided in 37 CFR 1.77(b), the specification of a utility application should include the following sections in order. Each of the lettered items should appear in upper case, without underlining or bold type, as a section heading. If no text follows the section heading, the phrase "Not Applicable" should follow the section heading:

- (a) TITLE OF THE INVENTION.
- (b) CROSS-REFERENCE TO RELATED APPLICATIONS.
- (c) STATEMENT REGARDING FEDERALLY SPONSORED RESEARCH OR DEVELOPMENT.
- (d) INCORPORATION-BY-REFERENCE OF MATERIAL SUBMITTED ON A COMPACT DISC (See 37 CFR 1.52(e)(5) and MPEP 608.05. Computer program listings (37 CFR 1.96(c)), "Sequence Listings" (37 CFR 1.821(c)), and tables having more than 50 pages of text are permitted to be submitted on compact discs.) or
REFERENCE TO A "MICROFICHE APPENDIX" (See MPEP § 608.05(a). "Microfiche Appendices" were accepted by the Office until March 1, 2001.)
- (e) BACKGROUND OF THE INVENTION.
 - (1) Field of the Invention.
 - (2) Description of Related Art including information disclosed under 37 CFR 1.97 and 1.98.
- (f) BRIEF SUMMARY OF THE INVENTION.

Art Unit: 2157

- (g) BRIEF DESCRIPTION OF THE SEVERAL VIEWS OF THE DRAWING(S).
- (h) DETAILED DESCRIPTION OF THE INVENTION.
- (i) CLAIM OR CLAIMS (commencing on a separate sheet).
- (j) ABSTRACT OF THE DISCLOSURE (commencing on a separate sheet).
- (k) SEQUENCE LISTING (See MPEP § 2424 and 37 CFR 1.821-1.825. A "Sequence Listing" is required on paper if the application discloses a nucleotide or amino acid sequence as defined in 37 CFR 1.821(a) and if the required "Sequence Listing" is not submitted as an electronic document on compact disc).

The spacing of the lines of the specification is such as to make reading and entry of amendments difficult. New application papers with lines double spaced on good quality paper are required.

Claim Objections

The claims are objected to because the lines are crowded too closely together, making reading and entry of amendments difficult. Substitute claims with lines one and one-half or double spaced on good quality paper are required. See 37 CFR 1.52(b).

Claim Rejections - 35 USC § 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

- (e) the invention was described in a patent granted on an application for patent by another filed in the United States before the invention thereof by the applicant for patent, or on an international application by another who has fulfilled the requirements of paragraphs (1), (2), and (4) of section 371(c) of this title before the invention thereof by the applicant for patent.

The changes made to 35 U.S.C. 102(e) by the American Inventors Protection Act of 1999 (AIPA) and the Intellectual Property and High Technology Technical Amendments Act of 2002

Art Unit: 2157

do not apply when the reference is a U.S. patent resulting directly or indirectly from an international application filed before November 29, 2000. Therefore, the prior art date of the reference is determined under 35 U.S.C. 102(e) prior to the amendment by the AIPA (pre-AIPA 35 U.S.C. 102(e)).

Claims 1, 2, 4-7, and 9-12, and 14-19 are rejected under 35 U.S.C. 102(e) as being anticipated by Schwartz et al. US Patent No. 6,473,609 B1.

As per claims 1, 11, 18, and 19 Schwartz discloses a method, communication system, wireless terminal, and multimedia message switching centre for the transmission of multimedia messages in a communication system from a transmitting terminal (MS1) to a receiving terminal (RH, MS2), which communication system comprises at least a first communication network (NW1), a second communication network (NW2) and a multimedia message switching centre (MMSC) (column 5, lines 48-61), in which first communication network (NW 1) at least a first address type is used as the terminal address and in which second communication network (NW2) at least a second address type is used as the terminal address, and in which system the address of the receiving terminal (RH, MS2) is annexed or supplemente to said multimedia message (column 5, lines 1-4 and 62-67), characterized in that

the multimedia message is further supplemented with data on the type of said address, and the communication system annexes data on the type of address, wherein the multimedia message is transmitted from the transmitting terminal (MS1) to said multimedia message switching centre (MMSC) (column 7, lines 9-28), in which the type of the address of the

Art Unit: 2157

receiving terminal (RH, MS2) is examined, and said address type is used to select the communication network (NW 1, NW2) to be used in the transmission of the message from the multimedia message switching centre (MMSC) to the receiving terminal (RH, MS2) (column 15, lines 9-27). See also the abstract.

As per claims 2 and 12, Schwartz discloses the method and communication system according to claims 1 and 11, characterized in that the first communication network (NW 1) used is a mobile communication network and the second communication network (NW 1) used is the Internet data network (column 1, lines 56-67; column 11, lines 1-8).

As per claims 4 and 14, Schwartz discloses the method and communication system according to claims 2 and 12 characterized in that in the first communication network (NW1), multimedia messages are transmitted by using a first communication protocol, and in the second communication network (NW2), multimedia messages are transmitted by using a second communication protocol, and that the format of the data on the type of the address to be annexed to the multimedia message is independent of said communication protocols for multimedia messages (column 7, lines 47-54).

As per claims 5 and 15, Schwartz discloses the method and communication system according to claims 1 and 11, characterized in that the multimedia message is transmitted to two or more receivers, wherein the message is supplemented with the address of the terminal (RH, MS2) of each receiver, as well as data on the type of each address (column 10, lines 3-17).

Art Unit: 2157

As per claims 6 and 16, Schwartz discloses the method and communication system according to claims 1 and 11 characterized in that the communication system is provided with a multimedia messaging service transfer protocol (MMTP), wherein multimedia messages to be transmitted from the transmitting terminal (MS1) to the multimedia message switching centre (MMSC) are converted into messages complying with said multimedia messaging service transfer protocol (MMTP) (column 10, lines 26-35).

As per claim 7, Schwartz discloses the method according to claim 1, characterized in that said data on the address type is given in text format (column 15, lines 1-8).

As per claim 9, Schwartz discloses the method according to , characterized in that said data on the address type is given as a binary number (column 10, lines 3-17).

As per claim 10, Schwartz discloses the method according to claim 1, characterized in that in the method, two or more formats are used in the address and the address type data of said receiving terminal (RH, MS2), wherein in the method the multimedia message is also supplemented with data on the format used in the address and the address type data (column 14, lines 59-67; column 15, lines 1-8).

As per claim 17, Schwartz discloses the communication system according to claim 11, characterized in that at least one of said terminals (MS1, MS2, RH) is a wireless communication terminal (MS1, MS2) (column 6, lines 21-35).

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claims 3 and 13 are rejected under 35 U.S.C. 103(a) as being unpatentable over Schwartz et al. US Patent No. 6,473,609 B1 in view of Eldridge et al. US Patent No. 6,487,189 B1.

Schwartz discloses "the method an communication system according to claims 2 and 12, characterized in that the first address type is an MSISDN number" (column 7, lines 56-63; column 8, lines 1-11) and URL (column 1, lines 56-67; column 11, lines 1-8). Schwartz oes not expressly disclose "and the second address type is an email address". Eldridge discloses and the second address type is an SMTP address. See abstract, column 6, lines 44-49, and Figure 2. At the time the invention was made, it would have been obvious to a person of ordinary skill in the art to combine email address of Eldridge with URL of Schwartz. A person of ordinary skill in the art would have been motivated to do this because they are both types of addresses that are used to send information from a sender to a recipient.

Claim 8 is rejected under 35 U.S.C. 103(a) as being unpatentable over Schwartz et al. US Patent No. 6,473,609 B1.

Schwartz discloses "The method according to claim 1, characterized in that said data on the address type is given as a binary and text character string." (column 15, lines 1-8; column 10, lines 3-17). Schwartz does not expressly disclose "a hexadecimal character string". At the time

Art Unit: 2157

the invention was made, it would have been obvious to a person of ordinary skill in the art to combine binary and textual character strings of Schwartz with hexadecimal character string. A person of ordinary skill in the art would have been motivated to do this because it is easy to convert from hexadecimal into binary and then into text.

Conclusion

The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

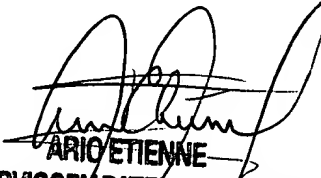
Dynarski et al. U.S. Patent No. 6,272,129 discloses converting from wireless to Internet protocol.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Uzma Alam whose telephone number is (703) 305-8420. The examiner can normally be reached on Monday - Friday 8:30 - 5.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Ario Etienne can be reached on (703) 308 - 7562. The fax phone numbers for the organization where this application or proceeding is assigned are (703) 308-9052 for regular communications and (703) 746-7238 for After Final communications.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is (703) 305-9600.

ua
March 4, 2003


ARIO ETIENNE
SUPERVISORY PATENT EXAMINER
TECHNOLOGY CENTER 2100